

Dear FCC...

In response to the FCC's Notice of Proposed Rule Making regarding the education of the consumer about the deadline for switching to digital television, I offer the following comment:

"From the beginning of the transition of the nation's broadcast television service from analog to digital television service, the Commission has been committed to working with representatives from industry, public interest groups, and Congress to make the significant benefits of digital broadcasting available to the public." [see introduction, second sentence]

Surely the authors of the notice could have delayed such an inflammatory declaration until further into the notice. As a member of the public, I have a vested interest in looking at what the FCC does in terms of improving my life, and more importantly, improving the lives of our children. Without exception, from where I sit, the FCC has done a miserable job. I think a practical application of the results of the FCC's damaging policies surrounding the transition of our nation's broadcast television service from analog to digital television service is worth a thousand words. For pictures, I simply point the FCC's commissioners to the One Laptop Per Child project pages. Children participating in this project are receiving a 21st century education. In my community, our children do not have access to their school's network from their homes. In my community, our children receive a token, and I mean, token 21st century education.

The FCC commissioners are fully aware that a community-based wireless mesh network will enable students to connect to their school networks from their homes. The cost of the network is a one-time fee of \$50 per house, and a shared cost of whatever the Internet access wholesale price would be. In the case of our community, that shared cost per house per month would run about \$3. Our children would have the infrastructure necessary to be able to receive a full-featured 21st century education. Alas, due to the arrogant and vicious disregard for the public's interest, the FCC has continued to pursue policies that make it all but

impossible for this to happen. But this comment is supposed to focus on educating the public about the transition to digital broadcasting, specifically.

Why Does the FCC Think It Must Perpetuate the Concept of “Walled Gardens”?

In April of this year, our state took control of community franchise contracts, and issued requirements for state franchise contracts. The law entitles every community with a population of 50,000 or less, to have up to two public access analog tv channels. As the FCC knows, each analog channel translates to up to eight digital channels. When the deadline arrives, logic dictates that our community will have up to sixteen digital tv channels under the law, as written. Will our state's cable monopoly comply? Or, will it, with a click of their mouse, restrict our community to a fraction of the airwaves we own, and leave us with two digital tv channels we know as PEG channels? What happens to the rest of that analog channel? The state of Iowa has a few thousand communities that would, when the deadline arrives, expect to participate in digital PEG channel production, resulting in literally tens of thousands of new, creative and innovative television productions each hour, each day, each week, each month, each year. Does the FCC truly expect that to happen across our nation? If so, would this not be a remarkable and exciting point to drive home to the public? Why has there been a total absence of any discussion about this benefit to the public?

As the FCC knows, the cost of producing digital television and radio broadcasts is negligible. I have sitting on my kitchen table, a low-end PC. I have loaded it with the freely available audio and video software from Stanford University's Center for Computer Research in Music and Acoustics. My cheap computer is capable of maintaining a state-of-the-art digital recording studio for preparing audio and video contributions from my neighbors and throughout our community for broadcasting over a low-end server. Of course, it requires connection to the airwaves we, our community members, own. It appears our telco monopoly and our cable monopoly, our emerging cellular industry, and even our wireless monopoly (no thanks to the FCC's latest spectrum

auction rules) are balking at the idea of having the public “do their own thing”. If it's not a benefit to transition to digital broadcasting, because it will enable communities to engage in PEG channel production without the assistance of monies and facilities provided by the incumbents, then maybe it's because of the economics.

If I put a label on my cheap computer, and call it a digital recording studio, and I open up access to the community-at-large, in the spirit of the PEG channel set aside, a homeless person could come in, make a CD at a cost of whatever the CDs cost, and then sell them to sympathetic passersby. We can run the numbers:

$1\text{CD} \times \$10 \text{ per CD} \times \text{sales to } 100 \text{ sympathetic passersby} = \$1,000$

I could open up access to my cheap state-of-the-art digital recording studio to all the nonprofit organizations in my community. They could create several CDs each at a cost of whatever the CDs cost, and then sell them to friends, family, and sympathetic passersby. Running the numbers:

$10\text{CDs} \times \$10 \text{ per CD} \times 100 \text{ friends, family, sympathetic passersby} = \$10,000$

Fundraising campaigns for nonprofits is one way to take advantage of the deadline to switch to digital broadcasting, as our community would have up to sixteen PEG channels available to broadcast locally, regionally, nationally, and internationally. Churches would also be able to do the same thing, and every grade and every classroom in our schools would participate. So, why not include small businesses, or medium-sized businesses, or even large businesses, all of which could use my cheap state-of-the-art digital recording studio to make CDs, DVDs, tv and radio shows, public service announcements, even full-featured films? The answer is, when we run the numbers: Literally tens of millions of dollars in new revenues for our state coffers begin to flow!! And it might be reasonable to expect not much of that new revenue stream will

include the incumbents. It is a very nice benefit of transitioning to digital broadcasting for the public. Yet, not a peep out of the FCC on this consideration, nor will anyone expect such information to be forthcoming from the FCC.

Once in a great while, a rare occurrence takes place. A local event attracts international attention. When that local event causes international interest, the state benefits in even greater numbers, running into the hundreds of millions of dollars. In the past, all that money went into the pockets of those who control our airwaves, because they have invested lots of their money, and billions of taxpayer dollars. When the deadline for transitioning to digital television arrives, we should expect that trend to reverse itself, and indigenous resources remain at the local level for control, rather than through the walled gardens the FCC believes should persist. Education of the public should include such information. Yet, that won't happen, as it would disrupt the business practices the incumbents expect to engage.

Who's Going To Ensure Our Children a 21st Century Education?

Colonel David Hughes is quoted:

" . . . [O]ne of the things that made the US DIFFERENT from Europe in education was that EVERYONE in the US is entitled to a FREE K-12 education - universal - no matter where they live, no matter who they are, no matter what their parent(s) make. It is crystal clear to me that EVERY K-12 kid has to, if they are to be educated for the next century, have access to the internet at school and when they do homework at home. Period. " "And the only real obstacle to that is the cost of 'connectivity' between the school and the kid's home. "

[see <http://www.oldcolo.com> <<http://www.oldcolo.com/>>]

The FCC has failed the public, and has deliberately avoided any of the issues raised above. Yet, it now asks for comment on its' notice of proposal for rule making regarding the education of the public to prepare for the transition to digital television. A community that has affordable last mile solutions for their students, in order to ensure they receive a 21st century education, needs to understand the role digital broadcasting plays. It's one thing to create a CD, or DVD, or tv or radio show, or even a full-featured film. It's quite another to create much of one's educational assignments using those same tools that are available for digital broadcasting. There are few, if any, professions in America that do not require knowledge of, and use of digital broadcasting technology. Proficiency does not come with an introduction in school, on an "event basis". Proficiency comes from practice, from using the tools on a daily basis. Education doesn't happen in isolation. Our kids need to collaborate on their assignments with each other, at school, and at home, and on weekends. That happens, and it only happens, if our airwaves, which we own, are available to our kids to communicate with each other and their teachers, wherever they are. Just ask the kids in rural South Africa. They'll tell you, and they're excited! I now ask you, what are you going to educate the public about? Are you going to educate the public about the benefits of the transition to digital broadcasting without mentioning that our kids need to use that technology in order to learn and gain a knowledge base that will let them compete in the 21st century? If you do mention it, how are you going to explain why the FCC won't enable the public to utilize the broadcasting technology by supporting policies that ensure the public can establish affordable last mile solutions for their kids to access their school networks from their homes?

Had the FCC truly wanted to act in the best interest of the public, the commissioners would have established a deadline for transition to digital television, and reminded the so-called partners [see <http://www.dtv.gov/partners.html>] that they might want to get themselves educated about the transition to digital television. The first thing they need to understand, is their responsibility to provide an affordable last mile solution for our kids. If they don't, the FCC will put out a notice of proposal for rule making, and that rule will require that last mile solution that now costs as little as \$50 per

house and a monthly shared cost of something less than \$10 be made available to every community in our country. It's time to realize that the wireless spectrum, the PEG channel access, and the technology that exists, today, has smashed the traditional telecommunications infrastructure to smithereens. Adopt or lose it! They say. The FCC needs to stop the lying, the misinformation and the deception upon the owners of our airwaves, the public.

The FCC has just about run its course in history. There is a dwindling justification for its' existence. It could, however, educate itself, and guide our nation to an affordable last mile solution that ensures every child gets a 21st century education, and those policies would simultaneously benefit the public. There would be no need to continue a false reliance on the private sector to execute the FCC's policies. They could, though, participate and possibly make a buck by making things easier. We call that creativity and innovation, without the giveaways from the FCC. When I say we, I mean we, the new producers created by the deadline of February 17, 2009, and the transition to digital broadcasting.

Whether our community has two digital PEG channels, or up to sixteen digital PEG channels, will not matter. The bottom line is, we have a fight on our hands. That fight is about how we provide a 21st century education for our children. Our small community is losing its' students when they graduate. They need to go out in the world and find a career. The last mile solution can reverse that trend. If our kids are exposed to a 21st century education that is at least as good as the kids in South Africa get, we stand to have some of our kids discover they can stay in our community, and still find a career that works well for them. Without the infrastructure for learning about, and using the technology that exists, and will exist, there is no hope. The FCC cannot maintain its present position that the shift to digital broadcasting is intended to perpetuate the incumbents' advantage, that it is but another distribution channel controlled by expensive network studios, across expensive telecommunications networks. It's time for the FCC to cancel any future auctions, and turn over our airwaves to the public. The economics demands it, and the taxpayers demand it, and the education of our children demands it. Your partners demand you remain in the past,

and apply the future through that past. How ridiculous is that? How long are you going to carry out this scam against the public you want to execute in your notice of proposal for rule making?

I think the most telling statement about our FCC's determination to repress our nation's march to a 21st century education for our kids came when the FCC announced its rules for the coming auction of the public's airwaves in the 700Mhz range:

“A wholesale requirement would have been sound policy for several reasons. First, requiring licensees to offer network capacity on non-discriminatory terms would have been an enormous shot in the arm for smaller companies—including those owned by women and minorities—that aren’t interested in or capable of raising the huge sums necessary to build a full-scale network. Smaller entrepreneurs deserve an alternate path to wireless access. Wholesale would have been good news for them—and for consumers.”

Where in this statement can we find even a glint of appreciation for what the pending auction represents to our country that is falling further behind each day in the world of education? Our schools are desperate to bring a last mile solution to reality. The FCC decidedly rejects those who would use today's technology to bring tomorrow's educational needs to our kids. Corporate profits should not drive our national policies, nor should corporate profits blind our commissioners to publish such arrogant and inflammatory statements to the owners of our airwaves, the public.

Please publish this comment on your website, and link to it from your home page. I will then use the Internet to get the word out, and educate the public.

Respectfully,

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